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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International League for Human Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 June 1999]

GE.99-13862 (E)

1. Member States, thematic mechanisms of the Commission on Human Rights and NGOs continue to document violations of human rights of the Tibetan people by the Chinese Government. Human rights abuses, indeed, are increasing in number and severity since the adoption of resolution 1991/10 by the Sub-Commission. Individually, these human rights violations warrant the Sub-Commission's concern. Collectively, the pattern is so pervasive and persistent as to demand immediate condemnation and action.

2. That pattern of human rights abuses, and the sources of that pattern, were recognized in the International Commission of Jurists' 1997 report on Tibet, in which it concluded that Tibet is under "alien subjugation" and called for a referendum by Tibetans to determine how they wish to be governed. Indeed, allowing Tibetans to exercise their right of self-determination appears to be the only way to end the persistent human rights abuses in Tibet.

3. For the past 20 years, the Tibetan government in exile under the leadership of His Holiness the Dalai Lama has been pursuing a policy of dialogue with China to resolve the Tibetan problem. In this spirit of reconciliation and compromise, numerous proposals were outlined by His Holiness the Dalai Lama. However, the Chinese leadership continues to oppose negotiations without preconditions although the Dalai Lama has said on record that he is not seeking the independence of Tibet. China has instead initiated a ruthless campaign in Tibet to further deny the Tibetan people of their human rights and fundamental freedoms.

4. Suppression of religion. The Chinese Government continues to attempt to undermine the practice of Tibetan Buddhism. It still refuses to allow visitors to confirm the well-being of the eleventh Panchen Lama of Tibet, Gedhun Choekyi Nyima. Human rights groups and Governments report that scores of monks and nuns have been detained or expelled from their monasteries and nunneries for objecting to an ongoing "re-education campaign" or for refusing to denounce the Dalai Lama, as in the case of the crackdown at Rongpo Rabten monastery in Nagchu prefecture during which 15 monks were arrested. Chinese authorities have also demolished temples and monasteries, as in the case of Drag Yerpa, a pilgrimage site outside Lhasa. For the past three years, a concerted re-education campaign has been conducted to undermine the Dalai Lama as a religious leader, which attempts to go so far as to redefine the historical significance of Tibetan Buddhism to Tibet's culture. In north-eastern Tibet (renamed Qinghai), monks over the age of 60 have been forced to "retire" in an apparent attempt to limit the survival of Tibetan Buddhist traditions. Furthermore, China now wants to transform Tibet into an "atheist" region.

5. Forcibly limiting births. Although China ratified the Convention on the Elimination of All Forms of Discrimination against Women, State-sponsored violence against Tibetan women is common. Article 16 of the Convention gives women the right to decide on the number and spacing of their children and prohibits compulsory sterilization or abortion. In practice, restrictive birth control policies are carried out in Tibet through coercion and force. Reports continue to be received of village campaigns of forced abortions and sterilizations, as in the Chushur district of Lhasa city where 308 women were sterilized in only one month in late 1996. Refugees in India and Nepal also report coercive measures including denying children born in excess of the

limits, a registration card and other welfare facilities and withdrawing employment or imposing onerous fines if a woman refuses to give her consent to abortion or sterilization. In the context of China's simultaneous transfer of millions of Chinese settlers into Tibet, this conduct raises serious questions concerning possible violations of the Convention on the Prevention and Punishment of the Crime of Genocide.

6. Arbitrary arrest and detention. The number of prisoners of conscience in Tibet has increased steadily since 1988. The number of current detainees confirmed by the Tibet Information Network (TIN) is 550 (at least 17 of whom are children), but is undoubtedly higher because of efforts by Chinese authorities to make information unavailable. Other recent estimates (e.g. by the Tibetan Centre for Human Rights and Democracy and Human Rights Watch) put the number of political detainees at over 1,000. Moreover, more Tibetans in the areas of Tibet outside what China has designated the Tibet Autonomous Region are being arrested for political offences. Gedhun Choekyi Nyima, the 10 year-old Panchen Lama, remains the world's youngest political prisoner.

7. Torture. Article 1 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which China is a State party, outlaws any kind of torture. However, there have been no independent reports of improvement in the treatment of Tibetan political prisoners. Torture remains common in detention centres and prisons and new methods of abuse, such as "forced exertion", are becoming more common, in addition to the usual methods such as shocking with electric batons; beatings; branding with red-hot shovels; scalding with boiling water; hanging upside down or by the thumbs; kicking; attacking with dogs; exposing to extreme temperatures; depriving of sleep, food and water; solitary confinement; sexual violence; and threats of torture and death.

8. Summary execution. In 1998 at least 11 political prisoners were killed in Drapchi Prison in Lhasa during or shortly after the May 1998 protests there. One, Karma Dawa, who helped initiate the Drapchi protests, was executed soon after. Another 10, 6 nuns and 4 monks, all political prisoners, died as a result of abuse and isolation after the May 1998 protests. In 1998, another monk just released from Trisarn Prison, Yeshe Samten, died as a result of abuse.

9. Due to these grave situations in Tibet, we call upon the Sub-Commission on Prevention of Discrimination and Protection of Minorities to recognize the persistent pattern of human rights abuses against the Tibetan people. The pattern points to a threat of destruction of the Tibetans as a people unless they are allowed to exercise their right to self-determination. We therefore call upon the Sub-Commission to support the appointment of a Special Rapporteur to investigate the human rights situation in Tibet.